

Council Chambers-City Council  
City Hall - City of Lodi  
Monday, July 1, 1929.

This regular meeting of the City Council of the City of Lodi was called to order by the Mayor at 8.17 o'clock P.M. on the date and at the place first above written, Councilmen, Hale, Roach, Shattuck, Weihe and Spooner present, none absent.

The minutes of the last regular meeting held June 17th 1929 were read, approved as read and so endorsed by the Mayor.

On application of Fire Chief B. C. Dougherty, the Fire Department was authorized to purchase one "Bullard-Davis" inhalator at a price of \$225.00, the same to be kept in the custody of the Fire Department and to be available for use in any other department where it might be needed.

In the matter of the application of Central California Traction Company for permission to lay down tracks on Seaton Avenue, the Clerk reported the receipt of a copy of the application of Southern Pacific Company for a re-hearing before the Interstate Commerce Commission of the later company's application to purchase the Central California Traction Company. Communication ordered filed.

The following reports were received, read and ordered filed :-

Report of Chief of Police Christesen for June.

Report of Poundmaster Cooper for June.

Annual Report of Librarian Amy L. Boynton.

Annual Report of the Chief & Secretary of the Fire Dept.

Quarterly Report from the Fire Department

The report of the Secretary of the Fire Department stating the result of the Departments annual election which was filed with the City Council on June 17th and laid over was taken up at this time and the appointees and elected officers confirmed as submitted except that Mr William Meyer was designated as Foreman of Alert Hose Company and Mr Harold C. Diehl as Assistant Foreman of the same Company.

Five building permits for garages were granted, the total estimated cost of the same to be \$710.00

City Engineer Barzellotti presented a map of a parcel of land on North School Street and Daisy Avenue and the same was ordered approved under the name of "HANDEL TRACT" by the adoption of Resolution No. 583.

Bills, including the quarterly pay-roll of the Fire Department, numbered from 12392 to 12522 inclusive were allowed and ordered paid on motion of Councilman Hale, Shattuck second.

City Attorney Glenn West then addressed the City Council stating the necessity of securing certain engineering data and retaining the services of expert civil engineers both as to the City's contemplated erection of a dam above Lancha Plana and in furthering its causes in the state courts against up-stream appropriators. Mr West presented the following Resolutions and the same were adopted by the vote shown herein.

#### RESOLUTION NO. 584

Whereas the City of Lodi is the owner of certain real property bordering along the Mokelumne River and situated in Amador and Calaveras Counties which real property said city has by resolution dedicated to a public use for the purpose of constructing and operating thereon a municipally owned hydro-electric power plant; and whereas, in order to construct said works it will be necessary to cause a survey to be made for the purpose of locating the exact position of the city's proposed dam on said river and for the purpose of having certain test-holes sunk for the purpose of determining the depth and character of construction of the foundation of said dam :

AND WHEREAS, N. A. Eckart, Civil Engineer of San Francisco, California, has estimated that the maximum cost of such survey will be \$500.00 and the maximum cost of sinking said test holes will be \$2,000.00

NOW THEREFORE, IT IS HEREBY RESOLVED, that the said N.A. Eckart be and he is hereby employed for the purpose of making said survey and for the purpose of supervising the sinking of said test-holes and exploration work therewith, said engineering work to be done at a maximum cost of \$500.00 and the supervising and sinking of said test-holes and exploration work therewith to be done at a maximum cost of \$2,000.00

BE IT FURTHER RESOLVED, that the charges for said work shall be paid by said City out of any funds available for that purpose upon claims to be duly and regularly presented.

The foregoing Resolution No. 584 was thereupon passed and adopted by the following vote :-

AYES: Councilmen, Shattuck, Roach, Hale, Weihe and Spooner.  
NOES: None. ABSENT : None.

#### RESOLUTION NO. 585.

WHEREAS, the City of Lodi has commenced suit in the Superior Court of the State of California in and for the County of Calaveras, against East Bay Municipal Utility District and others for the purpose of restraining the defendants in said suit from diverting water out of the Mokelumne River;

AND WHEREAS, it will be necessary at the trial of said suit to introduce into evidence certain expert testimony as to the feasibility of the City of Lodi's proposed power plant on the Mokelumne River, and as to run-off conditions, flow and general character of the Mokelumne River;

NOW THEREFORE, be it resolved, that the City of Lodi does hereby employ J.D.Galloway, a civil engineer having his offices in Crocker First National Bank Bldg., San Francisco, for the purpose of studying all natural conditions on the said river and the feasibility of said proposed power project and for the purpose of giving his testimony upon such subjects at the trial of said suit;

BE IT FURTHER RESOLVED, that the said J.D.Galloway shall be paid by said City for all his services thus to be rendered, the sum of \$1,000.00 out of any funds of said City available for that purpose.

The foregoing Resolution No. 585 was thereupon passed and adopted by the following vote :-

AYES: Councilmen, Shattuck, Weihe, Hale, Roach and Spooner  
NOES: None. ABSENT: None.

#### RESOLUTION NO. 586.

WHEREAS, the City of Lodi has commenced suit in the Superior Court of the State of California in and for the County of Calaveras, against East Bay Municipal Utility District and others for the purpose of restraining the defendants in said suit from diverting water out of the Mokelumne River;

AND WHEREAS, it will be necessary at the trial of said suit to introduce certain expert testimony as to the feasibility of the City of Lodi's proposed power plant on the Mokelumne River, and as to the run-off conditions, flow and general character of the Mokelumne River;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lodi does hereby employ Charles Grunsky, Chief Engineer of the Division of Electricity and Gas of the California State Railroad Commission, for the purpose of studying all natural conditions of said river, and the property of the City of Lodi on the said river, and the feasibility of said proposed power project and for the purpose of giving his testimony upon such subject at the trial of said suit;

BE IT FURTHER RESOLVED, that the said Charles Grunsky shall be paid by said City for all his services thus to be rendered, the sum of \$1,000.00 out of any funds of said City available for that purpose.

The foregoing Resolution No. 586 was thereupon passed and adopted by the following vote :-

AYES: Councilmen, Roach, Shattuck, Hale, Weihe & Spooner.  
NOES: None. ABSENT: None.

## RESOLUTION NO. 587.

WHEREAS THE CITY OF LODI HAS COMMENCED SUIT IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF CALAVERAS, AGAINST EAST BAY MUNICIPAL UTILITY DISTRICT AND OTHERS for the purpose of restraining the defendants in said suit from diverting water out of the Mokelumne River;

AND WHEREAS, it will be necessary at the trial of said suit to introduce into evidence certain expert testimony as to the feasibility of the City of Lodi's proposed power plant on the Mokelumne River and as to run-off conditions, flow and general character of the Mokelumne River;

NOW THEREFORE, BE IT RESOLVED, that the City of Lodi does hereby employ N.A. Eckart, Civil Engineer of San Francisco, California for the purpose of studying all natural conditions of said river, and property of City of Lodi on the said river, and the feasibility of said proposed power project and for the purpose of giving his testimony upon such subjects at the trial of said suit;

BE IT FURTHER RESOLVED, that said N.A. Eckart shall be paid for his services in giving testimony in open court upon the trial of said suit at the rate of \$50.00 per day for each day during which he shall actually attend upon the trial of said action, said moneys to be paid upon claims properly presented and allowed out of any moneys in the treasury of said City available for that purpose.

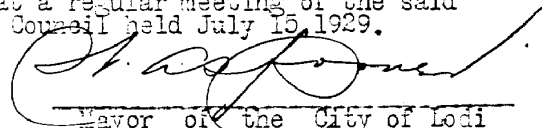
The foregoing Resolution No. 587 was thereupon passed and adopted by the following vote :-

AYES: Councilmen, Shattuck, Weihe, Hale, Roach & Spooner  
NOES: Councilmen, NONE. ABSENT: NONE.

The business of the evening being accomplished, the City Council adjourned at 9.50 P.M. on motion of Councilman Weihe, to meet at the day and hour of their next regular meeting to be held July 15th., 1929.

Attest:   
City Clerk.

The foregoing minutes of a regular meeting of the City Council of the City of Lodi held July 1, 1929 were read and approved without correction at a regular meeting of the said City Council held July 15, 1929.

  
Mayor of the City of Lodi

July 15, 1929.